THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.1065 OF 2006

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Dated: 06-02-2006

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Between

Smt. G. Yellamma, W/o. Bagaiah,

Occ: Labour, R/o. Gachibowli,

Serilingampally Mandal, Ranga

Reddy District and another.

...PETITIONER

AND

The Mandal Revenue Officer,

Serilingampally Mandal, Ranga

Reddy District and others.

...RESPONDENTS

ORDER:

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Petitioners seek a Writ of Mandamus to declare the action of the respondents in trying to dispossess the petitioners from the lands (House sites) in Plot Nos.27 and 54 in Sy.No.136 in an extent of 150 Sq. yards each situated at Gachibowli, Serilingampally Mandal, Ranga Reddy District as illegal and arbitrary.

Learned counsel for the petitioners submits that the petitioners were allotted Plot Nos.27 and 54 each admeasuring 150 Sq. yards in Sy.No.136 of Serilingampally Mandal for construction of houses by the proceedings of the Revenue Divisional Officer dated 09.09.1992.

He further submits that since then the petitioners have been in possession and enjoyment of the said plots by constructing houses. While so, some of the house sites allotted by the authorities to the weaker section people are being affected by the proposed road widening program from Kothaguda to Gachibowli and the authorities are trying to dispossess the petitioners and allot the said lands to the affected persons.

Counter has been filed stating that though the petitioners were allotted the said plots they are not in possession of the same by making any constructions or erecting thatched huts. It is further stated that no land of the petitioners is being acquired either for the road-widening program or for allotting the same to the persons affected by the said program but only the vacant land available in Sy.No.136 is being allotted to the affected persons.

In view of the aforesaid facts and circumstances of the case, no categorical declaration is required to be given by the respondents as requested by the petitioners. However, the writ petition is disposed of directing the respondents not to dispossess the petitioners without following the due procedure prescribed in law.

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V. ESWARAIAH, J

February 6, 2006

DSK